

Claim 5 specifically recites: "***destroying or avoiding making any non-volatile record*** of the private key". The Applicant respectfully maintains that this clause specifically recites that, if ***any*** non-volatile record of the private key has been made, the record is destroyed, and, if such a record has not yet been made, the record will not subsequently be made. In either event, at the end of this step in the process, no record of the user's private key will be located on the user's system, because ***any*** copy that was made is destroyed, even an encrypted copy as taught by Asay.

As noted in the Applicant's prior remarks, the Examiner references a sentence in Asay that directs the "destruction" of a private key (Asay, column 30, lines 55-57). This sentence, however, is prefaced with "the corresponding private key ***is stored in a safe place in the subscriber's system***" (Asay, column 30, lines 53-54).


Because Asay specifically teaches ***making a non-volatile record*** of the user's private key, and does ***not*** teach ***destroying*** this non-volatile record of the private key, as specifically claimed by the Applicant, the Applicant respectfully maintains that Asay ***teaches against*** the Applicant's claimed destruction or non-making of any non-volatile record of the user's private key.

Because neither Trostle nor Asay, individually or collectively, teach or suggest the destruction or non-making of any copy of the user's private key at the user's system, and because Asay specifically teaches making and saving a copy of the user's private key at the user's system, the Applicant respectfully requests the Examiner's reconsideration of the rejection of claims 5 and 7 under 35 U.S.C. 103(a) as being unpatentable by Trostle in view of Asay.

The Examiner has rejected claims 6 and 8 under 35 U.S.C. 103(a) as being unpatentable over Trostle in view of Schneier and further in view of Asay. The Applicant respectfully traverses this rejection, based on the remarks above regarding claim 5, upon which each of these claims depends.

Because neither Trostle, nor Schneier, nor Asay, individually or collectively, teach or suggest the destruction or non-making of any copy of the user's private key at the user's system, and because Asay specifically teaches making and saving a copy of the user's private key at the user's system, the Applicant respectfully requests the Examiner's

reconsideration of the rejection of claims 6 and 8 under 35 U.S.C. 103(a) as being unpatentable by Trostle in view of Schneier and further in view of Asay.


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On 3 November 2002

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